

ORDINANCE NO. 2018-09

INTRODUCED BY: Mayor Bodnar and Council as a Whole

**AN EMERGENCY ORDINANCE
DETERMINING TO PROCEED WITH THE IMPROVEMENT OF
ROBLEY LANE, THORNAPPLE DRIVE AND WILSON MILLS ROAD
BETWEEN CERTAIN TERMINI BY CONSTRUCTING SANITARY SEWERS,
SANITARY SEWER SERVICE CONNECTIONS AND MANHOLES,
INSTALLING, WHERE NECESSARY, FORCE MAINS AND
STORM SEWERS, AND REPLACING WHERE NECESSARY,
PAVEMENT AND DRIVEWAY APRONS, ALTOGETHER WITH
THE NECESSARY APPURTENANCES THERETO.**

WHEREAS, this Council adopted Resolution No. 2018-06 on January 29, 2018, declaring the necessity of making the improvement identified as the Improvement Project described in Section 1 (the "Resolution"); and

WHEREAS, Council wishes to proceed with the Improvement Project.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF MAYFIELD VILLAGE, OHIO, THAT:

SECTION 1. It is determined to proceed with the improvement of Thornapple Drive from S.O.M. Center Road thence easterly approximately 1,481 feet, Robley Lane from Ravine Drive thence southerly approximately 1,619 feet and Wilson Mills Road from Robley Lane thence easterly approximately 100 feet and westerly approximately 595 feet, by constructing sanitary sewers, sanitary sewer service connections and manholes, installing, where necessary, force mains and storm sewers, and replacing, where necessary, pavement and driveway aprons, all together with the necessary appurtenances thereto as shown on the Plans now on file with the Clerk of Council.

SECTION 2. The Improvement Project shall be made in accordance with the provisions of the Resolution and with the plans, specifications, profiles and estimate of costs previously approved and now on file in the Office of the Clerk of Council.

SECTION 3. All claims for damages resulting from the Improvement Project that have been legally filed shall be inquired into after completion of the Improvement Project, and the Director of Law is authorized and directed to institute legal proceedings in a court of competent jurisdiction to inquire into those claims, if necessary and if any.

SECTION 4. The portion of the cost of the Improvement Project to be assessed in accordance with the Resolution shall be assessed in the manner and the number of installments provided, and on the lots and lands described, in the Resolution.

SECTION 5. The estimated special assessments previously prepared and filed in the office of the Clerk of Council are adopted.

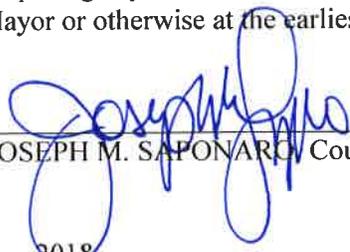
SECTION 6. The Clerk of Council shall deliver a certified copy of this Ordinance to the County Auditor within fifteen (15) days of its passage.

SECTION 7. Subject to the provisions of Section 727.24 of the Revised Code, the Mayor or other appropriate officer of the Village is authorized and directed, as soon as the funds are available, to advertise for

and make an executed contract for the Improvement Project with the lowest and best bidder after advertising according to law, and the Improvement Project shall be financed as provided in the Resolution.

SECTION 8. The Council finds and determines that all formal actions of this Council relating to the passage of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements, including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 9. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of Mayfield Village, Ohio, and for the reason that the immediate effectiveness of this Ordinance is required to provide for the construction of the Improvement Project which is necessary to provide for a system of centralized sewage collection, disposal and treatment and thereby eliminate environmental hazards and preserve and protect the health of the residents of the Village. It shall, therefore, take effect immediately upon passage by the affirmative vote of not less than five (5) members elected to Council and approval by the Mayor or otherwise at the earliest time allowed by law.

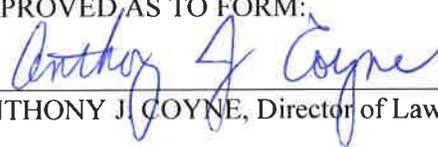


JOSEPH M. SAPONARO, Council President

First Reading: February 19 , 2018
Second Reading: Suspended , 2018
Third Reading: Suspended , 2018
PASSED: February 19 , 2018



BRENDA T. BODNAR, Mayor

APPROVED AS TO FORM:


ANTHONY J. COYNE, Director of Law

ATTEST: 

MARY E. BETSA, Clerk of Council